EARLY WARNINGS: Arthur Kinoy - "When Fascism comes to America..." (1990)

https://www.youtube.com/watch?v=D6vbFItmTaA (https://www.youtube.com/watch?v=D6vbFItmTaA)

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¤ Alternative Views

413. A LIVELY CONVERSATION WITH ARTHUR KINOY (1990)
http://en.wikipedia.org/wiki/Alternative_Views
http://tinyurl.com/6z7efuu

A long time civil rights lawyer-activist and member of the National Lawyers Guild, Kinoy has fought and won many legal fights at the national and local levels. He had an acrimonious appearance before the House Un-American Activities Committee, and he argued cases before the Supreme Court. In a colorful and vivid style, Arthur describes his battles, places civil liberties abuses by governmental agencies in historical perspective, and dramatically warns of the present-day dangers to American civil liberties, as represented by Supreme Court decisions, by activities of the FBI and its
allies, and by the FEMA plans for suspension of Constitutional rights and the imposition of a police state.

¤ Arthur Kinoy
http://en.wikipedia.org/wiki/Arthur_Kinoy

News: May 8,1990
Recorded June 2, 1990
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This movie is part of the collection: Alternative Views

Producer: Frank Morrow
Production Company: Alternative Information Network
Audio/Visual: sound, color
Language: English

"When Fascism comes to America it will be wrapped in American flag carrying a cross" - Sinclair Lewis

"What the American people must never forget - is that when Fascism comes to America
it will come wrapped in American flag"

- Arthur Kinoy, June 2, 1990 in Alternative VIews Cable-TV

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we are facing the most serious constitutional crisis that this country has faced since the Civil War and what is happening is a conscious plan by the most powerful forces in the governmental structure in the industrial structure to experiment with the undermining and abandonment of the most elementary constitutional rights of all of the people set forth in the Constitution suspending the Constitution United States suspending the Congress and replacing it with a military government suspending local and state legislatures suspending the courts and replacing with military tribunals and establishing detention camps throughout the country in which any person who didn't agree with this Proclamation would be thrown in what the American people must never forget is that when fascism comes to America it will come wrapped in an American flag r-13 oi is one of America's greatest fighters for civil liberties we all owe a great deal to him and he's going to be with us right now on alternative views

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a tax upon American Civil Liberties occur regularly in the United States and the situation is getting worse what is happening and why are the focuses of our program with arthur keno but before we interview Arthur here are a couple of news stories from the Alternative Press on Sunday April the 29th the New York Times magazine had a story by Seymour Hersh the Pulitzer prize-winning journalist called the iran-contra committees did they protect Reagan according to Hersh the congressional investigations in the iran-contra hearings failed to investigate certain key elements of the scandal Hirsch thus analyzes the limits of the iran-contra hearings what they were afraid to analyze Hurst said that the congressional committees decided from the beginning not to seek evidence that would lead to impeachment hearings and thus protected Reagan throughout Hersh's investigations for instance reveal the one of Oliver North's associates James Reds in speak saw two memos that listed the details of the illegal diversion of funds from the Iran arms sales to the Contras radzinsky was testify was scheduled to testify the hearings after Oliver North but North's popularity was so great that the iran-contra committees decided to cancel read Zim skis presentation he had seen the memo two memos that had listed

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seen the memo two memos that had listed exactly what was growing from the Iran arms sales to the Contras that was sent to Poindexter that had Poindexter's initials and it was sent up to Reagan for his inspection and for his initially it was precisely this missing gun this smoking gun that was the subject of the search of the committee's and that they never discovered and therefore they decided that Reagan was innocent well someone saw the incriminating memos but because Oliver North was so popular they were afraid to put this guy on afterwards who would contradicts NORs testimony that Reagan didn't really know anything about the diversions and this would save Reagan from impeachment Hersh also revealed in his investigations that the White House had a full backup system to all of its computers which would have allowed retrieval of all documents pertaining to the case such as the one that read zimsky claims to have seen the White House however refused to put this retrieval system into operation and to provide the committee with its documents on quote-unquote national security grounds Hersh also revealed that discussion of this computer system led to the revelation that Reagan regularly taped his phone calls with foreign leaders that this material also is not demanded by the investigating committees in other words the investigating committees did not demand the most crucial documents that were in the White House computers that might have implicated Reagan Bush Cayce and any number of other White House honchos in a full range of iran-contra scandals but they they did not allow the committee's to have access to their retrieval system of their computer and the committee's just went away went along with this and that's never really investigated the salient documents pertaining to the tapes Plus discovering that Reagan had a recording system revealed the

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recording system revealed the possibility there might be tapes like the Watergate tapes remember that during the Watergate hearings it was revealed that Richard Nixon taped all of his conversations in the White

House office these tapes were subpoenaed after a big struggle eventually the committee got the tapes and this led to Nixon's impeachment or his resignation and they could have done the same thing with Reagan but they refused to go after his tape so her shows the extent to which these congressional hearings basically were protecting Reagan from impeachment he interviewed all kinds of people on these hearings who said yes we definitely do not want to impeach Reagan it was late in his term he was too old he was too senile he wouldn't have known what was going on it would have been a national embarrassment there was a lot of national security issues involved so we just decided to Stonewall and thus admitted a cover-up so the Congress have been doing the same thing with George Bush because George Bush was more directly involved in all of these mash nations than Reagan was and but the committee is the same thing you read a little bits and pieces here and there about what the committees have done and what they haven't done and when it gets close to bush well then they cut off the investigation did he mention that Hersh only went into very slight aspects of bushes and evolvement in this and that's in that sense he participated in the decentering of bush trying to make it appear that Reagan was the guy behind this or the person that should bear the full responsibility for it whereas it seems that Bush had much more operational involvement in the illegal arms diversion to the Contras and even the sales of arms to the Iranians then Reagan did of course Bush denies he had any involvement whatsoever with any of these scandals but the investigative reports press but not Hirsch has fully documented the extent of Bush's involvement Hirsch did come out with one

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involvement Hirsch did come out with one other devastating revelation that the committee's covered over he learned that there was a second illegal diversion of funds from the Iranian arms sales to Israel via a Swiss bank account for covert operations in the Middle East for which there was no legal authority after initiating investigations of these operations the Israeli diversion the committee's chose not to discuss them in public or to consider any of the constitutional questions they raised in public coherence hearses investigations revealed that the committee did not want to endanger disruption of US relations with Israel or want to pursue investigations of the various Israeli operations for the u.s. in places like the Middle East or Central America in other words the illegal diversion of funds from the Iranian arms sales to the Contras was well documented and the subject of these hearings but there was a second illegal diversion of funds that went from the Iranian arms sales to the Israel who were helping supply the countries in Central America were doing deals with Noriega were helping the death squads in El Salvador and we're doing various things to quote-unquote fight terrorism in the Middle East and these were supported funded by the CIA through these illegal diversions of funds so that the Israelis were in effect being an arm of the US government were being an adjunct to the CIA the American press always talking about the economic miracle of Taiwan or Korea or Singapore everywhere well guess where another economic miracle is going on I haven't heard about it Vietnam the article surprised me that I saw in The Guardian a while back because that before that all we'd heard about thee was the terrible things that were

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thee was the terrible things that were happening in Vietnam the economic misery and the bureaucracy and the hilarity having trouble with the dissatisfaction with the people so they decided to have a little perestroika of their own so they dismantled a lot of the bureaucracy they cut loose a lot of the government enterprises and turned them over to private enterprises they had a lot of the farmers that go back and do their own crops instead of in cooperatives or collective farms and that's the last I'd heard for a long time and then suddenly we find that hey the economy of Vietnam is really strong our only strong they have they're exporting they have a base export surplus and apparently this is the economy of Vietnam is attracting the multinational corporations why well and Indonesia factory workers got about sixty dollars a month in Vietnam it's 30 so as one international businessman said I'm bullish on Vietnam well what about the United States well the Americans are still barred from trading or invest in Vietnam but remember I said perestroika I didn't say anything about glossiness it seems that Vietnam is trying to follow the Chinese model at the Russian model of restructuring of the economy because the Vietnamese are Communist Party is still maintaining control in its own hands and they're not going to have political plural pluralism even though there's a lot of ferment

below so it's interesting hmm we'll have time for one more news story after our interview with Arthur Kino so let's have that interview and find out what's happening with civil liberties in the United States extremely pleased to have with us on alternative views today

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with us on alternative views today Arthur Kenoi who is a professor of law currently at Rutgers University in Newark New Jersey Arthur is a veteran of many decades in the civil rights movement is the vice president of the Center for Constitutional Rights he's a member of the National Board of the rainbow coalition his author of Rights on trial the Odyssey of a people's lawyer and he's a longtime member of the National Lawyers Guild he's in town this week for the National Lawyers Guild meeting in Austin and he kindly enough has come down to alternative views today and we're going to talk to you about your life and struggles yeah flying in here to Austin to come to the guild convention all of a sudden what hit me just between the no shoulders was the recognition that I was coming down to Texas and that struck inside of me the whole recollection of what had happened that morning in Washington in 1966 but Texas was deeply involved in my being as you put it strangled by the US Marshals at the house on American Activities Committee because what I then remembered I closed my eyes on the plane and I was reliving the whole moment I had been working the last of years before that in the deep south representing the very courageous black people who were organizing and fighting for their elementary constitutional rights and I was representing the Mississippi freedom Democratic Party in the Student Nonviolent Coordinating Committee and dr. King and I was down in Mississippi 1966 when I got a call from New York City and someone got on the phone and said they've just gotten a call from California that eight young

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call from California that eight young students at Berkeley California who had engaged in the most radical activity you can imagine they had organized the first anti-war committee in California on the Berkeley campus and they had just been served with subpoenas from the house on American Activities Committee to come to Washington to explain why they were subversive agents of the Russians and would I come up from Mississippi and represent them because they had heard about a lot of work that I had been doing down in the south in defense of the courageous people who were fighting down there and they said we need somebody like that also so I go up to Washington and I agree all right we'll do this and I meet together with these young people from Berkeley and what do they say to me we're meeting lit that evening a day before the hearing was scheduled and they said we've read about what you folks have been doing in the deep south lawyers who are representing these people you don't sit back and always be on the defensive you take the offensive you fight against the people who are persecuting and discriminating against the people we want you to do the same thing here in Washington and I said what you mean and one of the young men says my father in the 1950s was called before the McCarthy Committee which was the same type of committee as the unamerican Activities Committee and he didn't know what to do he didn't want to participate

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what to do he didn't want to participate in their process so all he did is he got up there and he said oh I don't want to participate I'll just plead the fifth amendment and so on and what did Joe McCarthy do he came out with this great phrase he put his finger right at him and he said you are a Fifth Amendment commie and so the young man says my father was devastated he got home he was fired from his job at the plant I don't want to play that kind of defensive game he says doing something about it and that's something that we as people's lawyers we were always told and I'm told that still today and yesterday by people who are fighting for their elementary rights against the system what do they say to us they say words that I have never forgotten they say do something and so what did we discuss we decided to do what we had been doing for the courageous folks down in the south we decided that we would take the offensive and start a federal lawsuit against the unamerican Activities Committee charging them with being totally unconstitutional violating every provision of the Bill of Rights and we charged a conspiracy on their part to undermine the

fundamental rights of the young people of California and all the young people throughout the country and we wrote out this complaint that late that night went into a federal court and then the wildest thing in the world happened the federal judge looks at it and he says you making an argument here I'll give you a temporary injunction against the unamerican Activities Committee for the hold on a hearing and then he says have you got a draft of the of an injunction for me and my heart

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of an injunction for me and my heart sank it's never dreamt that we would have the opportunity to when that DRI hadn't prepared a draft and then this young woman from one of the law schools and thank the Lord for law students because they save you all the time she comes up to me and she'd been working with me and she said Arthur I drafted the one of these temporary restraining orders just in case we're gonna win and I give it to the federal judge he signs it and then there headlines all over the country on American Activities Committee enjoined as unconstitutional and then of course what happens late that night the Court of Appeals has a hearing at 4:00 in the morning in which the government and the Department of Justice had come in and said oh you can't do that that's impossible so the Court of Appeals says all right we won't have a temporary restraining order but they make a strong point we'll hear their complaint later on so we're gonna go ahead with the hearing we're feeling good and Norman short of it what happens we go into the hearing and who's the chairperson and some of you folks here in Texas may remember him Joe Poole Joe proof Jo poore was a congress representative from Texas one of the most conservative representatives of the old white power structure in the south and he's sitting there and what do they do first thing they do is all of our young folks are there they represented for the committee the council's with many calls then what they know as and everybody in the country is gonna learn this word a friendly witness now that doesn't mean friendly to you that means friendly to the government here and to uaq and the friendly witness gets up there in what does he say great details oh I know that these are all agents of the Soviets these young people they're getting paid by the Russians and I could see our clients the young people look at each other my god

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people look at each other my god and the one thing they don't have is anybody you know they've never had they had to borrow to even get to Washington and then they he finishes and so what do I do I'm a lawyer I get up and I say all right I want to cross-examine this witness and what does Joe Poole you have no right to cross-examine this is the correctional committee sit down and I can't very upset and ice get up there and I say wait a moment I have a right under the Constitution in the United States to represent these young people and to cross-examine otherwise there is not due process of law and he says you know what you doin he says you're arguing with me and when I say to him my lord what is the lawyer supposed to do and then he waves his hand and for federal marshals from the back of the hearing room brush-up grabbed me by the neck and dragged me out and I can still feel her fingers on the throat and as I'm going out I say something that everybody have kidded me about for years and years thereafter hi the words that gasps out of me I say the pool you can't do this to me I'm a lawyer and they dragged me out and then a friend of mine who had met in the old days in the South several years before from the New York Times rushes up to me and test me I thought don't you understand why this happened I should know her Donen state and he says nobody steals headlines from Joe Poole you got those headlines in your action against him he was furious and he was bound to get you and then I'm dragged out in the carburetor and what their five capital police standing there and I'm arrested and what am i arrested for I'm arrested

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and what am i arrested for I'm arrested for a violation of a statute they had in the District of Columbia in those days saying that you're guilty of disorderly conduct for using loud and boisterous language in front of a congressional committee and I'm arrested and then drag down and fight that out in the next morning 54 lawyers from all of the country from all the people's organizations the civil rights of this show up to represent me and then these pictures of me being strangled appear on the front page of almost every newspaper in the

country you upstairs Joe Paul yeah exactly and then going short of it what happens the court of appeals I'm found guilty by the local judge and the Court of Appeals just in cumbia says nonsense a lawyer has not only the right but the duty to stand up to represent his clients they reversed the conviction and then this is late 1966 our whole movement starts in the country in which not only the folks in the anti-war movement but people in the growing women's movement people in the American movement all come together and say that the unamerican activity committee is the most dangerous instrument against the rights of the people it's got to go and a movement starts from one end of the country to the other to abolish the unamerican Activities Committee and then what happens in 1973 we get a majority in the House of Representatives and they vote to abolish the unamerican Activities Committee and we have a great party that night I've learned one thing the whole fight for people's rights were the most important moments in fighting for people's rights are the parties you have victory self victory celebrations and we're celebrating and my old friend from The New York Times is there and he

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from The New York Times is there and he comes up to me and he says Arthur you got to realize one thing the picture of you being strangled and pulled out of hue act by those marshals did more to help the abolition of that committee that any brief you ever wrote that any legal arguments ever made they looked at me he said you got to learn one thing the one thing the people of this country cannot stand it's the sight of a little person being strangled and beaten up by big people that's a long way round to say that that was the fight and what we learned out of it though was something that has a terrific impact on our work today and that is that if you're going to fight for the rights of the people for the protection of elementary constitutional rights you cannot sit quietly on the defensive and just wait until they attack this person and that person and then you go through long torturous cases you have to think through together with your clients the people who are injured and hurt how to take the offensive how to utilize the legal system to say to the entire nation that there is a danger to the rights of all of us by what's going on and charging that the administration the Department of Justice or the local police who are ever responsible for this that they must be the defendants because they are guilty of what they are guilty of the most serious crime conspiracy to undermine and destroy the Constitution of the United States and that's the lesson that

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United States and that's the lesson that I learned out of the work in the 1950s against the McCarthy period in the 1960s against the effort to destroy black movement and the young people's movement in the women's movement and the experiences in the struggles that we had in the 50s and 60s against the effort to destroy the trade unions that you cannot sit back quietly you have to fight back you have been in the middle of all these fights for so many years where do you think we are now we a lot of people have been concerned about civil liberties and their Reagan Bush administration's and a lot of the plans that they have you think thinks or you think the things are getting worse or better I think that we are facing and I'll put it very bluntly and I say this from one end of the country to the other we are facing the most serious constitutional crisis that this country has faced since the Civil War and what is happening is a conscious plan by the most powerful forces in the governmental structure in the industrial structure to experiment with the undermining and abandonment of the most elementary constitutional rights of all of the people set forth in the Constitution and that developed from the earliest days the Reagan administration one of the sharpest examples is the open plan to undermine Barry and then totally paralyzed all of the statutes which had been passed in the 1960s guaranteeing the civil rights of I don't even after American people not only people of color

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American people not only people of color but women poor white people older people the 1964 Civil Rights Act the 1965 Voting Rights Act which had been passed why because millions of people in this country had organized and demanded that rights that they had been denied for hundreds of years must be enforced all right we want on that and we got wonderful ways of going into the federal courts to protect people who are

discriminated against in employment discriminated against in any aspect of life and what did from the first days of the Reagan administration what was announced that these the decisions of the Supreme Court were told enforcing these statutes were totally without any right whatsoever and William Bradford Reynolds sounds like ancient history most people don't even remember his name but he was assistant attorney general in charge of civil rights friends of mine on Capitol Hill in the middle of the 80s they grabbed me into their office once they said with a straight face Arthur we're going to put a resolution on the floor of Congress to change William Bradford Reynolds title we're going to call him the assistant attorney general in charge of burying civil rights and what was the position that he put forward that there is no constitutional or statutory authority in this country to enforce group rights you cannot have any remedy where women are discriminated against in a factory for example you cannot have a remedy which says the canape discrimination against women we're black people you cannot have a remedy where unions are discriminated against union members you can't have a remedy saying they are entitled to group

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remedy saying they are entitled to group relief and what was this this was an effort to totally bury the civil rights statutes which were designed to what to give protection to the constitute the meaning of the amendments passed after the Civil War the 13th 14th and 15th amendments they were passed for the purpose of protecting the group rights of not only the emancipated black people from slavery but as the people who wrote the amendment said to protect every class of people in this country who ever have a badge of inferiority placed upon them and that is in the Constitution United States in the statutes of past and the Reagan administration position was we got to get rid of this and what was it I have to explain to folks all over the country who don't remember our American history and I have to say this I'm very disturbed sometimes at the fact that there is not sufficient studying the lessons of our American history be stacked these amendments were passed and these statutes was passed to guarantee the protection of millions of people throughout the country and then what happens in 1877 you have what goes down in history known as the Hays Hilton compromise in which what in which there was agreement between the northern Republicans and the defeated southern slave owners not the new governments the south that there would be no enforcement whatsoever of the wartime amendments and then what for seventy years there was no protection whatsoever for the constitutional rights of not only the black people but any oppressed person in the country and then it's changed where we're facing the same situation because what happened last June in the Supreme Court of the United

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June in the Supreme Court of the United States where Reagan over what ten years had been able to appoint a handful of extremely conservative justices who then had a majority they came down with sweeping decisions which had the same effect as the 1877 betrayal which came down with legal gobbledygook and I use that phrase you know why because we lawyers have a tendency and judges to use words that nobody understands why because over the long years and I say this in that self-critical way our profession the legal profession uses terms so that people will not understand what we're doing and then what happened was these decisions came down one after another totally tying up the hands of the enforcement of the most elementary rights not to be discriminated against on the part of women on the part of older people and the part of black people Latino people Mexican American people's young people Native American Native American people's and then what has happened and this is a terribly important thing for us everybody in the country to know some of the members of Congress just recently introduced a bill into the Senate into the house known as the kennedy Hawkinsville the 1990 civil rights statute which was designed to overcome these decisions and to restore the elementary constitutional rights of millions and millions of people to protection against any form of discrimination and the bill is now in the Senate and the house and what is happening Thornburg the Attorney General of the United States just six weeks ago

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of the United States just six weeks ago publicly stated that he has advised Bush the President to veto the bill if it is passed and tremendous amount of lobbying is going on on the part of the biggest corporations in the country who feared this bill because it's saying you can't discriminate against people and if you do you're going to have to pay damages you have to pay fines and the corporation's don't want this and they take the position we have the right to do anything we please Arthur let's go back a step before we go into this bill in more detail why would the Reagan and Bush administration undertake a systematic assault on civil liberties doing some of the things that you've just described and opposing bills like this Kennedy Hopkins bill is it simply because they're in the hands of corporations and are simply carrying out the policies or the wishes of different corporations or why would a government be against civil liberties it's hard to imagine that they would have solved you know our very Constitution our very basic Liberty see it cuts even deeper than that because what's involved the difference between the old 1877 and the 1877 is that this is not just an attack on the constitutional protections of the rights the Mansa pated people whose end up the peoples of color this is an attack on every single constitutional right of every person the right not to be have your home broken into the right not to be stopped on a highway and searched and frisked without a warrant the violation is the Fourth Amendment the protections of the First Amendment the protections of the right to counsel they have conscious effort to weaken and undermine every one of these rights and

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undermine every one of these rights and what is beginning to develop and people are beginning to see this the power structure not only in the government but in the big corporations they are very frightened and what are they frightened at that millions and millions of people in this country are angry and suffering from the most elementary problems that they have which are not being solved women with shocking examples and I'm sure you have some of this down here in Texas I've been at many meetings all through the Midwest of whom the family farmers hundreds of thousands of family farmers are facing what the worst crisis in their lives the farm mortgage foreclosure crisis in which the big banks are coming in and they're open about it they've decided that we don't need family farms any longer in this country that we must have what is known as what corporate agriculture and they will be destroyed all right the family farmers and we must understand this they are not long-haired radicals they are what what we've always known as the heart of middle America and what are they saying they're in meetings all over they are furious and why because they want they went to the White House they demanded what what their grandparents Scott from a certain president known as Franklin Roosevelt the first thing my Ivan he I was a youngster at that time I didn't even remember this but I'll never forget an older farmer saying this to me at the meeting in Kansas that his father had told him that the first thing that Franklin most voted done when he was elected was to sign a presidential

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elected was to sign a presidential decree declaring a four-year moratorium on farm forecloses giving the family farmers a chance to move forward and they were saved alright they went to Washington during the Reagan period and then again the first this year of the Bush administration and you know what they were told by Reagan and Bush go home we don't have any right to interfere with banks we don't have any right we don't have any power to do this so the family farmers are furious and what are they looking for for the first time they want to work together with what millions of people and many of them across the state line from them who are facing what the crisis of plant closings hundreds of thousands millions of American people workers working people and many of them white working people many of them people our color our face with devastation I don't have to tell you folks down there you take a look you go into anywhere along the Ohio River for example where the steel plants were first developed and you go into some of these cities and what does it look like London looked like after the bombings in World War two because the plants are all closed down and the business people the small business people are destroyed there's no market and they're furious and they're trying to come together and what are they demanding very elementary demand if these companies close our plants we must have the right to run them ourselves we must have the right to take them over and the state of Pennsylvania as a result of this pressure from the majority of its people passed a

bill setting up a plant closing agency that had the power under again I technical legal word that nobody understands called eminent domain coming from we're coming from the Middle Ages in England that a town has the power to

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in England that a town has the power to take over property which injures the interests of the people of the town and we want to take a look and what are the big corporations doing they're going into court and they're charging that what this is Bolshevism this is unamerican we have the right not only to own a plan to close the plant period all right so the plant the family farmers are saying we can't win by ourselves it's true the plant closing people can't win by themselves the working people the union people but if we get together we have a fighting chance and then what are they saying we want to get together and they've asked for meetings now and this is making American history meetings with representatives of the black movements all through the south or facing as folks all to the south no almost homelessness property and redistricting losing the right to vote then you take in the urban areas to the north what's the most serious problems I don't know where do you have it down here drug housing housing homelessness and then the drug crisis from one end of the country to the other so people getting together take the women's movements women's are furious because what the same Supreme Court in June came down with a decision which took the knife in to what had been decided in Roe against Wade as the fundamental right of women to make decisions over their own lives their own bodies the right to abortion and so the women saying we've got to do something about this and not only threat to abortion the right of women not to have sexual harassment in the job which I don't have to tell you folks that's one of the most current phenomena in our society that women have this experience in factories that in employment and everything else so if you add together all of these

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so if you add together all of these groups and they unite to fight for what all kinds of radical changes nonsense to fight for their immediate survival survival what will that mean and the folks in the power structure the industrial military complex and that's not a radical term you know who that was for Eisenhower first used that term alright if all these folks come together and fight for their immediate needs then the power of the industrial military complex is affected and will ever change we have a new type of government a new type of government representing the needs and interests of the people and the power structure is scared to death about this and that's why they are saying that why do these people do they'll use these elementary constitutional rights to organize their use it to come together they use it to fight for their rights there for a moment has come when we have to get rid of these rights and what are they putting forward and I lived through this in the Nexen period because I was thrown right into this fight in the Supreme Court of the United States little concept known as what the inherent power of the President of the United States to suspend the Constitution or any provisions thereof or any laws of the government when he decides it's in the national interest to do so and they're putting that forward once again well there isn't this already in the books and the McCarran act that the president can declare an emergency and start putting people in concentration camps so it's not directly in the McCarran act but they are trying to read the McCarran act is saying that but what they are doing see they came you will remember folks like us who were not just you know young people will remember in the Nixon

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young people will remember in the Nixon period ancient history Richard Nixon came forward with what with the position that the president has the power to engage in warrantless wiretapping without considering the requirements of the Fourth Amendment that you have to have a warrant to engage in wiretapping and what was the thesis that they put forward the thesis was the president can decide whenever he it is necessary that he can suspend the provisions of the Constitution and I was asked the last minute to come in take this case that involved young people in Detroit who were warrantless ly wiretap to the Supreme Court and we argued that out and the Supreme Court itself which in those days was considered once remember what used to be

called the Nixon Court this is were conservative justices Chief Justice burger had taken over from Justice Warren but when we laid it on the line that what was involved here was the essence of Americanism that this country from the revolution on was built under the concept that this is what this is a government of limited powers governed by the written constitution which was written by home and I reminded the court something that as a youngster I've been taught something that Thomas Jefferson used to say that there were not three branches of the government the legislature the judiciary in the president there are four branches and the fourth branch is supreme in the fourth branch of the people and the Constitution was written to protect the people and what happens is conservative Court says you're right but now we have the Reagan Bush administration's where FEMA setting up additional concentration camps and martial law provisions

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camps and martial law provisions provisions exactly and that's the crisis we face now that's their response to these turmoils of the people hangings or the faculty here and what they are doing now is they are reacting with an abandonment of the elementary principles of the Constitution and replacing it by what let's what are they replacing it by they're replacing it by total totalitarian rule of the master up there so it gives the president totalitarian powers to suspend the Constitution to violate anyone's right whenever the president deems it's necessary and what I discovered a lot of people throughout the country don't know is that Reagan and Bush sent all of the north to FEMA the Federal Emergency Management Agency to do a memorandum as to what they should do in case of an emergency where I'm aware a lot of people in this country would not agree with they're engaging in military activities I can't version like an invasion or anywhere in the world and what's do and he writes out and this was in as you know the Miami Herald during the iran-contra hearings July 1st 1987 that the President to the issue in order and in so many words and when I saw that for the first time I couldn't believe it suspending the Constitution United States suspending the Congress and replacing it with a military government suspending local and state legislatures suspending the courts and replacing with military tribunals and establishing detention camps throughout the country in which any person who didn't agree with this Proclamation would be thrown in and this is what and that memorandum as far as we know is still sitting on bush's desk and yet nobody except I'm so pleased to hear that you folks in this

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pleased to hear that you folks in this channel have been discussing this because the media had you know the media and inhibited of these threats to civil liberties on the mainstream media and what's even worse that isn't just a decision of the President they've delegated that they have provisions to delegate this authority to local commanders and police authorities so that they can suspend civil liberties on a local basis whenever they want to yeah and I will never forget something that when I was once thousand years ago a youngster a young student we were in a room and we coming together to talk out what were we gonna do this was in the mid 30s what were we going to do as students to try to fight for our rights and an older person he was then 23 years old came into our room and said something that I have never forgotten he said you must never forget something that that greatest student of totalitarianism in this country just said last night and who is he referring to Huey Long the then governor of Louisiana and what did he tell us Huey Long had said the day before what the American people must never forget is that when fascism comes to America it will come wrapped in an American flag and that's something that I have never forgotten because that's the problem that we face today and we have to be very open about this what are we facing we're facing the road to fascism and we understand that millions and millions of American people will stand up and will fight for the Elementary preservation of the American system of government yes they're the on Americans where the Conservatives live fighting something civil liberties and the car agency cetera and when we understand that and we discuss this and

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understand that and we discuss this and I find that when I discuss this with folks with high school students with college students with folks and unions and community organizations they haven't heard any of this but when they hear it they ready to move and they want to move it seems like the sort of lesson of your life is that if we don't struggle for our elementary civil liberties we're allowing the road to fascism to take place in our lifetime and those of us that want to prevent fascism or repressive government from achieving hegemony in the United States have to fight for these civil liberties and Arthur you fought for these for decades and we can only applaud admire your heroic struggles on behalf of our civil liberties so thank you for coming and thank you for existing and I can say that it was been exciting for me to have been down here in Austin the last two days at the guild convention where so many students from the University of Texas were there and in an excited way we're discussing what they have to do in order to fight for these elementary rights so there is some hope out there great hope thank you right and now for one last news story from the alternative press they're concerned civil liberties and our political police in 1983 a twelve-year-old Pennsylvania boy was studying geography in school he was interested got really interested in other lands around the globe so he wrote a form letter to all 150 member nations of the United Nations dear sir please send me general information about your country thank you for your time sincerely Todd Patterson well it was a big mistake that's when his trouble started as the responses began to come in a few weeks later they noticed Todd and his family noticed that some of the envelopes were torn in fact they were

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envelopes were torn in fact they were torn open and this problem proceeded to get worse and worse and worse until eventually 90% of all the mail coming to the house was torn in some way well after a few months the problem gradually disappeared and there was no more torn mail and nobody thought much about it and then Todd wasn't to all that satisfied with the responses he got from some of the countries so he wrote other letters this time he wrote them on stationery from his dad's company I crossed out the address you know and wrote his in in the corner well once again the mail started arriving at the house all torn up in addition this time the telephones began to act strangely there's lots of static and buzzing xand clickings in the background and it was not only at the Patterson residence it also happened at his dad's todd dad's company as well so both phones got funky this went on for months and months and months and finally after about six months Todd's dad in frustration one day just yelled into the receiver the telephone if you want to know anything why don't you come over and talk to us and find out two days later the doorbell rang Wow and standing at the door was an FBI agent introduced himself said he'd come to talk about these letters to other countries well the family showed him around they showed him Todd's room and they offered to show him the files but the agent declined they gave him urine tests that's incredible this gets better and then he left when Todd got home from school he called the agent and oh they had a nice chat

[00:54:00 (https://www.youtube.com/watch?v=D6vbFItmTaA&t=3240s)](https://www.youtube.com/watch?v=D6vbFItmTaA&t=3240s)

the agent and oh they had a nice chat and that was that well six months later the Soviets at the United Nations sent to Todd a letter and invited him to come and spend some time with him and look around and pick up some stuff in person so he and his dad decided that before they went they better call the FBI which they did and the FBI said that was fine for him to go but that he should call when he got back and reporting him well they went over they picked up a load of stuff and as they were leaving they noticed a guy believe it or not in a dark trench coat and a hat following them they got home and Todd called the agent reported honest his a visit and the agent was very friendly and they hung up that was the end of the incident well from 1984 to 1987 there were no more problems Todd grew up and in his civics class in high school they learned about the Freedom of Information Act well Todd knew there had been some kind of FBI investigation of him so he decided to look in to the Freedom of Information Act and try and find out what the FBI had on him well he started writing letters to them and after eight months of very difficult strenuous correspondence he received his file he received six pages the rest was classified and can only be released on it with under legal constraints or legal action almost all of those six pages were blacked out so Todd and his dad were offended and they went to the ACLU and said is there anything we do the ACLU took the case they found out that Todd's record approached a hundred pages two indices that crossed referenced him

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two indices that crossed referenced him to other FBI files had been inadvertently lost and in court they went to court and the judge suddenly issued ruling against Todd his ruling was based on an in-camera investigation of the secret files or examination of the secret files with an FBI agent there unfortunately neither Todd nor his lawyer the ACLU were notified Todd has appealed the case but so far there's been no word and he is still not seen what's in his FBI files he's now a 19 year old college student in New York and he certainly got an education from the FBI good civics lesson exactly civics 101 and that's alternative views for this time frequently hear from viewers who request a list of news publications which we use on alternative views and also a reading list for a u.s. power structure in the mass media if you would like to have these send a stamped self-addressed envelope to the alternative Information Network p.o box 7279 austin texas seven eight seven one three you must send a self-addressed stamped envelope we can also give you information on how to get some of John stockwell's publications we'd like to thank our crew for our production Brian Lynch Karen Bynes Eric Eubank and Kevin L West's alternative views is a presentation of the alternative Information Network P o box 7279 austin texas seven eight seven one three

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austin texas seven eight seven one three if you'd like to contact us that's our address bye

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